

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

NY MACHINERY INC., *et al.*,

Plaintiffs,

v.

THE KOREAN CLEANERS
MONTHLY, *et al.*,

Defendants.

Case No. 17-cv-12269-AME

VERDICT SHEET

PART I: Counts 1– 4

1. Did Plaintiffs, NY Machinery Inc. (“NYM”) and Kleaners LLC (“Kleaners”) (collectively referred to herein as “Plaintiffs”), prove by a preponderance of the evidence, that Defendants, The Korean Cleaners Monthly (“TKCM”) and John Chung a/k/a Seung Chae Chung (“Chung”) (collectively referred to herein as “Defendants”), are liable for Unfair Competition (Counts One through Three) and False Advertising (Count Four)?

Yes ☒ No ☐

IF YOU ANSWERED “NO” TO QUESTION 1, YOUR DELIBERATIONS FOR PART I ARE CONCLUDED. IF YOU ANSWERED “YES” TO QUESTION 1, THEN PROCEED TO QUESTION 2.

2. Did Plaintiffs prove by a preponderance of the evidence that the present lawsuit is an “exceptional case” as defined in the jury instructions?

Yes ☒ No ☐

IF YOU ANSWERED “NO” TO QUESTIONS 1 AND 2, YOUR DELIBERATIONS FOR PART I ARE CONCLUDED.

IF YOU ANSWERED “YES” TO QUESTIONS 1 AND/OR 2, THEN PROCEED TO QUESTIONS 3 THROUGH 5.

3. If the answer to Question 1 is "Yes," please set forth below the amount of money to fairly and justly compensate Plaintiffs for their damages.

Amount: \$1,800,000

4. If the answer to Question 2 is "Yes," please set forth below any additional amount of money you award to Plaintiffs to fairly and justly compensate them for their damages, which sum can be any amount above the amount you entered in response to Question 3, but not exceeding three times that amount.

Amount: \$5,400,000

5. If the answer to Question 1 is "Yes," please answer the following Question: Do you find that Defendants' publication of corrective advertising would be appropriate to remedy Defendants' conduct and damage to Plaintiffs' reputation?

Yes X No _____

PART II: Counts 5-8

6. Did Plaintiffs prove by a preponderance of the evidence that Defendants are liable for Tortious Interference With Prospective Economic Relations (Count Five)?

Yes X No _____

7. Did Plaintiffs prove by a preponderance of the evidence that Defendants are liable for Defamation *Per Se* (Count Six)?

Yes X No _____

8. If the answer to Question 7 is "Yes," are Plaintiffs entitled to punitive damages against the Defendants?

Yes X No _____

9. Did Plaintiffs prove by a preponderance of the evidence that Defendants are liable for False Light (Count Seven)?

Yes X No _____

10. Did Plaintiffs prove by a preponderance of the evidence that Defendants are liable for Trade Libel (Count Eight)?

Yes X No _____

IF YOU ANSWERED "NO" TO EACH OF QUESTIONS 6 THROUGH 10, YOUR DELIBERATIONS FOR PART II ARE CONCLUDED.

IF YOU ANSWERED "YES" TO ANY OF QUESTIONS 6 THROUGH 10, THEN PROCEED TO THE FOLLOWING QUESTIONS.

11. What amount of monetary damages have Plaintiffs proven, by a preponderance of the evidence, were caused by Defendants? Please include the amount, if any, you provided in response to Question 3 in your calculations so that the number below reflects the total compensatory damages to be awarded to Plaintiffs for Counts 1 through 8.

Amount: \$7,200,000

12. If the answer to Question 8 is "Yes," please set forth below the amount of punitive damages you award against Defendants for the claim of Defamation *Per Se* (Count Six).

Amount: \$1,000,000

PART III: Counterclaim

1. Did Defendants prove by a preponderance of the evidence that NYM is liable for account stated/unjust enrichment for failure to pay an invoice or invoices for advertising services between October 2016 and January 2017?

YES _____ NO X _____

IF YOU ANSWERED "NO" TO QUESTION 1, YOUR DELIBERATION FOR PART III IS CONCLUDED.


IF YOU ANSWERED "YES" TO QUESTION 1, THEN PROCEED TO THE FOLLOWING QUESTION.

2. What amount of monetary damages have Defendants proven, by a preponderance of the evidence, were caused by NYM?

\$0

YOUR DELIBERATIONS ARE CONCLUDED.
PLEASE NOTIFY THE JUDGE THAT YOU REACHED A VERDICT.

Date: 2/23/24



Foreperson of the Jury